

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

*
PAUL LECLAIR,
Plaintiff
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V. * CIVIL ACTION NO: 04-11633RGS
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HOME DEPOT U.S.A., INC.,
Defendant
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JOINT MOTION TO CONTINUE TRIAL AND REOPEN DISCOVERY

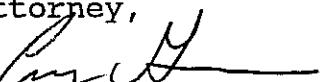
Now comes the parties, by and through the undersigned attorneys, and respectfully request that the January 23, 2006 trial date be continued and discovery reopened for a short period.

In support of the foregoing, the parties state as follows:

1. A key witness was unavailable and could not be deposed until early this month. At the deposition of this witness, testimony was offered that may lead to eyewitnesses to the slip and fall which is the basis of this Complaint. The parties foresee several more depositions concerning this issue.
2. The parties assure the Court all discovery will be completed by, no later than, April 1, 2006.

WHEREFORE, the parties respectfully request that the January 23, 2006 trial date be continued and discovery reopened for a short period.

Respectfully Submitted,
The Plaintiff, by his
Attorney,


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Cary P. Gianoulis BBO: 649900
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Respectfully Submitted,
The Defendant, by its
Attorney


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Date: December 27, 2005